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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,082	05/11/2001	James Larson	36760	6992
7590 09/15/2005 JASPAN SCHLESINGER HOFFMAN LLP 300 Garden City Plaza Garden City, NY 11530			EXAMINER ADDIE, RAYMOND W	
			ART UNIT	PAPER NUMBER
			3671	

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/854,082

Applicant(s)

LARSON, JAMES

Examiner

Raymond W. Addie

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6-9, 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Saunders # 4,319,376.

Saunders discloses a passenger boarding ramp for forming a protective, covered passageway for loading aircraft from a ground exit terminal or vehicle. See Fig. 2.

Said boarding ramp (10) comprising:

At least one fixed-height corridor unit (24), having a rear end abutable at ground level to said airport terminal.

A gangway corridor unit (13), having a frame open at both ends, a gangway (149) joined to a forward end of said corridor unit (24), and is of increasing height from the height of said at least one fixed height corridor unit (24), and is intended to encompass the height of an aircraft door.

A selectively, outwardly-extendible horizontal plate (361) and guide means (360) to move to and maintain said plate (361) in an extended position. See Col. 7, ln. 40-col. 8.

Wherein the gangway (149) is pivotally attached to a rear end of corridor unit (13).

Further wherein said gangway is selectively inclinable to reach the height of said aircraft doorway. See cols. 3-4.

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Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thaxton, Jr. # 2,828,757 in view of Mason et al. # 4,768,617.

Thaxton, Jr discloses a collapsible passage way for forming a protective passageway for permitting loading of passengers from an airport terminal to an aircraft, the passageway comprising:

At least one fixed height corridor unit (10) having a rear end abutable to an airport terminal at a ground level.

A gangway corridor unit (10) joined to a forward end of said at least one fixed height corridor unit (10). Said gangway corridor unit (10) having a gangway (20) pivotally mounted to a rear end of said gangway corridor unit (10).

What Thaxton, Jr. does not disclose is the use of an inclinable gangway floor.

However, Mason et al. teaches it is known to provide wheeled passageways (10), with an inclinable gangway (106) that is selectively inclinable from a ground level to an elevated level. See Cols. 1-2, ln. 66. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to provide the airport passenger ramp of Thaxton, Jr. with an inclinable ramp, as taught by Mason et al., in order to provide passage to a wider variety of aircraft.

Art Unit: 3671

3. Claims 1-5, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thaxton, Jr. # 2,828,757 in view of Crump # 4,912,796.

Thaxton, Jr discloses a collapsible passage way for forming a protective passageway for permitting loading of passengers from an airport terminal to an aircraft, the passageway comprising:

At least one fixed height corridor unit (10) having a rear end abutable to an airport terminal at a ground level.

A plurality of rollers (8), and a protective covering (34).

A gangway corridor unit (10) joined to a forward end of said at least one fixed height corridor unit (10). Said gangway corridor unit (10) having a gangway (20) pivotally mounted to a rear end of said gangway corridor unit (10).

A U-shaped frame provided with a pair of transversely separated legs (6), a connecting roof support (13) and a flooring brace (11, 12) at the lower end of the vertical legs on which a deck (19, 20) is located.

A transitional deck plate (32) extending from the end of each of said at least one fixed-height corridor unit and pivotally connectable at (9) to the next fixed height corridor unit in a series to permit passengers to traverse there over. Wherein said roof supports (13) and said flooring braces (11) of one section being at a level different from those of another section.

What Thaxton, Jr. does not disclose is the use of an inclinable gangway floor.

However, Crump teaches a height adjustable ramp, with support legs and telescoping gangway panels (18, 19, 20) capable of transporting persons from a ground level to an elevated level. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to provide the passenger boarding ramp of Thaxton, Jr., with an inclinable gangway, as taught by Crump, in order to accommodate aircraft of varying heights above ground. See Crump Col. 2, lns. 13-41.

4. Claims 6, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thaxton, Jr. # 2,828,757 in view of Mason et al. # 4,768,617 as applied to claim 1 above, and further in view of Campbell # 2,470,337.

Thaxton, Jr. in view of Mason et al. disclose essentially all that is claimed, with respect to claim 1 above, to include a gangway (106) that is pivotally attached at its rear end to a lower end of a frame (14) at an open rear end and pivoted with means (18) for elevating the gangway at its forward end, to a desired height. What Thaxton, Jr. in view of Mason et al. do not disclose is providing a gangway of increasing height to encompass the height of an aircraft door. However, Campbell teaches it is desirable to provide an extensible passageway, with a vertically adjustable canopy (6, 8, 9, 14), capable of encompassing the height of an aircraft door to shelter the passageway and aircraft interior from the environment.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the

invention was made to provide the boarding ramp of Thaxton, Jr. in view of Mason et al. with a canopy of increasing height, capable of encompassing the height of an aircraft door, as taught by Campbell, in order to shelter the interior of the aircraft and boarding ramp from the ambient environment. See Campbell Col. 2, Ins. 36-55.

5. Claims 8, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thaxton, Jr. # 2,828,757 in view of Mason et al. # 4,768,617 and Campbell # 2,470,337, as applied to claim 6 above, and further in view of Leon # 4,886,413.

Thaxton, Jr, in view of Mason et al. and Campbell disclose essentially all that is claimed, with respect to claim 6 above, to include a gangway (106) that is pivotally attached at its rear end to a lower end of a frame (14), but does not disclose an extendible transition floor. However, Leon teaches it is well known and desirable to provide aircraft loading ramps with extendible floor sections (14), supported by a scissor lift assembly (16), which cooperatively maintain the plate (14) in a horizontal position when being extended. See col. 2, Ins. 11-64. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to provide the loading ramp of Thaxton, Jr, in view of Mason et al. and Campbell, with an extendible aircraft interface assembly (14) as taught by Leon, in order to facilitate loading and unloading the aircraft.

6. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thaxton, Jr. # 2,828,757 in view of Mason et al. # 4,768,617, Campbell # 2,470,337, and Leon # 4,886,413 as applied to claim 8 above, and further in view of Schoenberger et al. # 5,226,204.

The combination of paragraph 5 above, discloses essentially all that is claimed, with respect to claim 6 above, to include a scissor assembly on each side of the gangway and guides in said gangway frame for receiving lower ends of the scissor assemblies (14, 16) to maintain the aircraft interface assembly in a horizontal position adjacent the floor of the aircraft, but does not disclose the use of telerobotics to monitor and control the boarding ramp. However, Schoenberger teaches a multitude of benefits, when utilizing tele-robotics to remotely monitor and control an air bridge, such as reducing labor, and avoiding collisions between the air bridge and aircraft. See Cols. 1-2.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to provide the boarding ramp of Thaxton, Jr. in view of Mason et al. Campbell and Leon, with a telerobotic control system, as taught by Schoenberger in order to improve control and safety of boarding ramps.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saunders # 4,319,376 in view of Schoenberger et al. # 5,226,204.

Saunders et al. discloses essentially all that is claimed with respect to claim 8 above, to include a selectively extendible aircraft interface unit (14), but does not disclose the use

of telerobotic control of the boarding ramp. However, Schoenberger teaches a multitude of benefits, when utilizing tele-robotics to remotely monitor and control an air bridge, such as reducing labor, and avoiding collisions between the air bridge and aircraft. See Cols. 1-2. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to provide the boarding ramp of Saunders, with a telerobotic control system, as taught by Schoenberger in order to improve control and safety of boarding ramps.

Response to Amendment

8. Applicant's amendment to the claims, filed 7/13/05 has overcome all the rejections and objections cited in the Last Office Action. However, upon further consideration Claims 1-13 have been rejected under 35 U.S.C. 102(b) and 130(a), as cited above.

Response to Arguments

9. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Farr et al. # 4,344,200 discloses a aircraft passenger bridge.

Marino # 3,131,705 discloses a portable canopy. Swaisgood # 2,362,170 discloses a discloses a portable raisable scaffold.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond W. Addie whose telephone number is 571 272-6986. The examiner can normally be reached on 6AM-2:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on 571 272-6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Raymond Addie
Patent Examiner
Group 3600

9/13/05